



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of JEFFREY A. NAUS ROBERT H. REID SADEGH-NASSERI SCHEHERAZADE MARCIA WOLF

Group Art Unit: 1818

Serial No. 09/013,077

Examiner: L. Green

Filed: January 26,1998

Paper No. 4

For: Model for Testing Immunogencity

of Peptides

## PETITION UNDER RULE 37 CFR 1.47

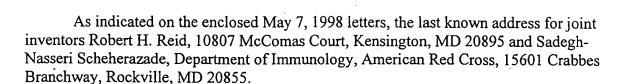
Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

Joint inventors, Jeffrey A. Naus and Marcia Wolf on behalf of themselves and omitted joint inventors, Robert H. Reid, and Sadegh-Nasseri Scheherazade petition for the acceptance of their executed declarations (Enclosure 1) in view of the inability to obtain an executed declaration from joint inventors, Robert H. Reid and Sadegh-Nasseri Scheherazade to allow them to join in this application at this time.

A copy of the letter (Enclosure 2) mailed directly to the last known address of joint inventors, Robert H. Reid and Sadegh-Nasseri Scheherazade on May 7, 1998 requested that the declaration for Patent Application be executed and returned to the undersigned prior to May 21, 1998. To date, we have only received the enclosed declarations executed by Jeffrey A. Naus and Marcia Wolf.

In order to ensure that the filing of this patent application is perfected prior to October 15, 1998, the executed declarations of joint inventors, Jeffrey A. Naus and Marcia Wolf are being submitted to the U.S. Patent and Trademark Office along with this petition.



A copy of the "Notice to File Missing Parts of Application-Filing Date Granted" is enclosed (Enclosure 3).

The Commissioner is authorized to charge payment any fees required by 37 CFR 1.17(h) or credit any overpayment to Account No. 21-0039.

Respectfully submitted

WERTEN F.W. BELLAMY

Registration No. 27,029

Intellectual Property Law Division

OTJAG, Department of the Army

901 North Stuart Street

Arlington, VA 22203-1837

Telephone: (703) 696-8119

CERTIFICATE OF NAILING

I hereby certify that this co respondence is being c. now mail in an envelope them of to: Tomemissioner of Malents and Trademerks, Washington, J. 20231,

Date: 10/2/98

Encls.

As stated

Date)

(Signature)

Date)





U.S. Army
Intellectual Property
Law Division
901 North Stuart Street
ATTN: JALS-IP
Arlington, Virginia
22203-1837

DSN 426-8120/Commercial (703) 696-8120 Fax (703) 696-8116 2 960

## Fax Message

To: Doctor Sadeghinasseri Schelerazade FAX # 301-517-0344 PHONE #

From: Werten F. W. Bellamy DSN 426-8119 Commercial (703) 696-8119

DOCTOR SCHELERAZADE:

11/19/98

CAN YOU PLEASE EXECUTE THE ASSIGNMENT OF INVENTION AND DECLARATION FOR PATENT APPLICATION AND FEDERAL EXPRESS BACK TO OUR OFFICE. THE ASSIGNMENT NEEDS TO BE NOTARIZED.

Wester I.W. Bellung

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| My residence, post of  | ffice address and citizensh  | ip are as stated below next to my name.  |
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| inventor (if plural na   | mes are listed below) of th  | or (if only one name is listed below) or an original, first and joint e subject matter which is claimed and for which a patent is sough G IMMUNOGENCITY OF PEPTIDES  |
| the specification of w   | hich is attached hereto un   | less the following box is checked:   |
| 2 was filed on 01/20<br>Number 09/013,07   |  | Inited States Application Number or PCT International Application  (if applicable).  |
| claims, as amended b   | y any amendment referred   |  |
|  |  | which is material to patentability as defined in Title 37, Code of   |
| patent or inventor's o   | n priority benefits under T<br>ertificate listed below and   | itle 35, United States Code, §119 of any foreign application(s) f<br>have also identified below any foreign application for patent or<br>that of the application on which priority is claimed.   |
| Prior Foreign Applica  | ation(s)   | Priority Claimed   |
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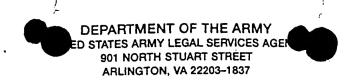
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| 2 was filed on 01/26/<br>Number 09/013,077   |  |  | ates Application Number or PCT Internation lended on (if application |   |
| claims, as amended by<br>acknowledge the duty<br>Federal Regulations, §<br>I hereby claim foreign<br>patent or inventor's ce   | any amendment re<br>y to disclose inform<br>156.<br>priority benefits un<br>rtificate listed belov                                       | ferred to above<br>nation which is<br>nder Title 35, U<br>w and have als | ontents of the above identified specification e.  material to patentability as defined in Title United States Code, \$119 of any foreign a o identified below any foreign application he application on which priority is claimed  | e 37, Code of pplication(s) for for patent or |
| Prior Foreign Applicat   |  | E F + E  | Priority Claimed   |   |
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| nformation and belief willful false statements   | are believed to be to sand the like so man states Code and that an issued thereon. (give name, family \( \frac{\alpha}{\alpha} \) (Silve | rue; and further de are punishant such willful for MARCIA Warname)       | rcia Kay Wolf 71/ase Date 12 may 98  | knowledge that<br>ection 1001 of              |

## $\underline{\textbf{DECLARATION FOR PATENT APPLICATION}}$

|  |   |  | ASSERI SCHEHERALA MARCIA WOLF   |
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| My residence, post office  | ce address and citizen  | ship are as  | stated below next to my name.   |
| invent_r (if plural name   | es are listed below) of   | the subject  | matter which is claimed and for which a patent is sought of   |
| the specification of whi   | ch is attached hereto u   | unless the fo  | ollowing box is checked:  |
|  |   |  | tes Application Number or PCT International Application ended on (if applicable).   |
|  |   |  | ntents of the above identified specification, including the   |
| I acknowledge the duty Federal Regulations, §1                         | to disclose information 156.  | on which is  | material to patentability as defined in Title 37, Code of   |
| patent or inventor's cer   | tificate listed below a   | nd have also   | identified below any foreign application for patent or  |
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| application or any pate<br>Full name of inventor (<br>Residence 7045 C | nt issued thereon.  (give name, family name  (becament Dr. Fé   | JEFFRE<br>me) <u> </u>   | alse statements may jeopardize the validity of the Y L. NAUSS   |
|  | My residence, post office I believe I am the origin inventor r (if plural name the invention entitled: In the specification of which was filed on 01/26/9 Number 09/013,077  I hereby state that I have claims, as amended by I acknowledge the duty Federal Regulations, § I hereby claim foreign patent or inventor's certificate has Prior Foreign Application (Number)  I hereby claim the beneand, insofar as the subjust application in the manufaction of the manufaction of the manufaction of the patent and Trademan Address all telephone of Address all corresponds  I hereby declare that all information and belief | My residence, post office address and citizent I believe I am the original, first and sole inventionent.r (if plural names are listed below) of the invention entitled: MODEL FOR TESTIFICATION TO THE STATE OF THE S | I believe I am the original, first and sole inventor (if only invent. r (if plural names are listed below) of the subject the invention entitled: MODEL FOR TESTING IMMUNITY was filed on 01/26/98 as United States and was amuse as a United States was filed on 01/26/98 as United States was amounted by any amendment referred to above I acknowledge the duty to disclose information which is Federal Regulations, §156. I hereby claim foreign priority benefits under Title 35, Upatent or inventor's certificate listed below and have also inventor's certificate having a filing date before that of the Prior Foreign Application(s)  (Number) (County) (Day/Month of Intereby claim the benefit under Title 35, United States of and, insofar as the subject matter of each of the claims of application in the manner provided by the first paragraph duty to disclose information which is material to patenat 1.56 which became available between the filing date of this application.  (Application Number) (Filing Date)  I hereby appoint the following attorney(s) and/or agent(s the Patent and Trademark Office connected therewith: Address all telephone calls to WERTEN F.W. BELLAW Address all telephone calls to WERTEN F.W. BELLAW Address all correspondence to INTELLECTUAL PROPOFICE OF THE JUDG 901 NORTH STUART'S ARLINGTON, VA 2220  I hereby declare that all statements made herein of my o information and belief are believed to be true; and further |

Enclosure 1





May 7, 1998

Intellectual Property
Law Division

Dr. Sadegh-Nasseri Schelerazade Department of Immunology American Red Cross 15601 Crabbes Branchway Rockville, MD 20855

Dear Dr. Schelerazade:

This is in reference to U.S. Patent Application Serial No. 09/013,077 entitled: "Model For Testing Immunogencity of Peptides" (enclosure 1) filed in the U.S. Patent and Trademark Office (PTO) on January 26, 1998.

In order to complete the Army's records, as well as the filing process in the PTO, please execute the enclosed declaration, and assignment and return them to me.

<u>Declaration for Patent Application</u> (enclosure 2): As required by Federal Statute, you must read your copy of the patent application before signing this form. Also, please read the declaration form itself completely. Then, please provide the information requested in the appropriate section (residence address is your home address while the post office address will be the address where your mail is received), sign and date (notarization of your signature is not required).

Assignment of Invention (enclosure 3): Please execute this assignment in the presence of a notary public.

The Declaration and Assignment have been attached to the enclosed copy of the application. Please return the executed documents to this office prior to May 21, 1998.

If you have any questions concerning this matter, call me at (703) 696-8119.

Sincerely

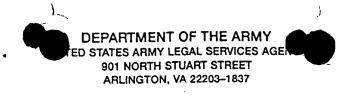
WERTEN F.W. BELLAMY

Patent Advisor

Encls. as stated

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| My residence, post of   | fice address and citizen   | ship are as stated below next to my name.  |
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| claims, as amended by   | y any amendment referr   |  |
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| I hereby claim foreign<br>patent or inventor's c  | n priority benefits under<br>ertificate listed below ar  | Title 35, United States Code, §119 of any foreign application(s) find have also identified below any foreign application for patent or one that of the application on which priority is claimed.   |
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May 7, 1998

Intellectual Property
Law Division

Mr. Robert H. Reid 10807 McComas Court Kensington, MD 20895

Dear Mr. Reid:

This is in reference to U.S. Patent Application Serial No. 09/013,077 entitled: "Model For Testing Immunogencity of Peptides" (enclosure 1) filed in the U.S. Patent and Trademark Office TO) on January 26, 1998.

In order to complete the Army's records, as well as the filing process in the PTO, please ecute the enclosed declaration, and assignment and return them to me.

<u>Declaration for Patent Application</u> (enclosure 2): As required by Federal Statute, you must read your copy of the patent application before signing this form. Also, please read the declaration form itself completely. Then, please provide the information requested in the appropriate section (residence address is your home address while the post office address will be the address where your mail is received), sign and date (notarization of your signature is not required).

Assignment of Invention (enclosure 3): Please execute this assignment in the presence of a notary public.

The Declaration and Assignment have been attached to the enclosed copy of the application. Please return the executed documents to this office prior to May 21, 1998.

If you have any questions concerning this matter, call me at (703) 696-8119.

Sincerely,

VERTEN F.W. BELLAN

Patent Advisor

Encls. as stated